

**SAMPLE ONLY
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**NOVA SOUTHEASTERN UNIVERSITY
CRIMINAL JUSTICE INSTITUTE
Masters in Science: Child Protection**

**Foundations in Child Protection Law
HCP 510**

COURSE SYLLABUS

COURSE INTRODUCTION AND DESCRIPTION

This course will introduce students to the legal framework for child protection proceedings. The course will explore the rights of parents, the rights of children, and state rights in the context of child protection proceedings. Students will examine the nature of these rights and the divergent interest that develop when parental conduct warrants state intervention. While the parent/child relationship is constitutionally protected, it is not beyond the state's legitimate interest in protecting the most vulnerable members of society. Students will examine legal safeguards that balance parental rights against the state interests in protection proceedings.

Students will examine substantive child abuse laws and the practical application of those laws and will answer important legal questions such as how does the law define "child abuse" and "child neglect" and what are the ramifications for such acts? Students will consider the procedural aspects of child protection litigation and how those protections impact each case. In most cases of child maltreatment the state response is limited solely to child protection proceedings while other cases might prompt criminal prosecution as well. Students will also see how private actions could be initiated in civil court to address child maltreatment. Evidentiary considerations are critical in case evaluation and play an important role in the unique proof equations of child protection proceedings. Students will track child protection proceedings from the time a child enters state care through the adjudication and disposition phase.

Finally, students will examine the short and long term goals of child protection proceedings from basic considerations such as removing a child from a dangerous environment to reunification of children with parents that have satisfactorily addressed parenting defects. Along with this, students will examine total cessation of the parent/child relationship and the legal justifications that support termination of the most profound relationship recognized by law. Termination of parental rights often raises difficult questions regarding permanency and permanency planning for children permanently committed to state care.

COURSE LEARNING OBJECTIVES & EXIT COMPETENCIES

At the conclusion of this course students will:

1. be able to explain the legal framework for child protection proceedings at the state court level.
2. be able to identify substantive law as it relates to the definition of child abuse and the practical considerations in applying that definition in the context of child protection proceedings and termination of parental right proceedings.
3. be able to identify important procedural steps in court proceedings that take place in child protection litigation.
4. be able to identify evidentiary considerations that might be relevant in child protection proceedings.
5. be able to identify placement alternatives for children that have been removed from their parents and placed in the temporary or permanent care of the state.
6. be able to recognize international instruments and their relevance to the law of child protection proceedings.
7. recognize when the parent/child relationship should be rehabilitated and when the relationship should be terminated and the legal presumptions that attach thereto.

COURSE ACTIVITIES

This course will be taught primarily through the problem method. Students will be presented with hypothetical and not-so-hypothetical problems and will be expected to discuss, analyze, and solve these problems through the use of the assigned casebook readings and supplemental readings materials. The course material will be covered in ten weekly learning modules which correspond to the ten week semester.

REQUIRED MATERIALS

Abrams, D. E., & Ramsey, S. H. (2003). *Children and the Law: Doctrine, Policy, and Practice* (3rd ed.) American Casebook Series, West Group ISBN 0-314-26325-X

NOTE: Check the course textbook list for updates. <http://www.nsubooks.bkstore.com/>

CALENDAR OF WEEKLY REQUIREMENTS

Week	Topics	Class Activities & Assignments
1	The Status, Rights and Obligations of Children The Parens Patriae Doctrine An International-Law Basis for Children's Rights The United Nations Convention on the Rights of the Child	Text p. 13 - 32 Supp. Module 1 Text p. 97 - 108
2	Defining the Parent Child Relationship Child Custody & the Child's Best Interests A. Visitation Factors	Text 122 - 131 & 135 - 144 Supp. Module 2

	<p>B. Structuring Visitation Orders</p> <p>C. Uniform Child Custody Jurisdiction Enforcement Act</p> <p>D. The Indian Child Welfare Act</p>	Text p.420 - 423
3	<p>Child Protection & State Intervention</p> <p>State Investigative Authority</p> <p>A. Child Protective Investigation Process</p> <p>B. Reporting Child Abuse</p> <p>C. Child Abuse Registry</p>	Text p.283 -313; 363 -371; 428 -431 Supp. Module 3
4	<p>Defining Child Abuse, Neglect and Abandonment</p> <p>A. Abuse, Abandonment & Neglect</p> <p>B. Child Discipline</p> <p>C. Medical Neglect</p>	Text 315 -331 & 337 -344; 714 -724 Supp. Module 4
5	<p>(Continuation of Module 4) Defining Child Abuse</p> <p>A. Failure to Protect</p> <p>B. Child Sexual Abuse</p> <p>C. Reasonable Efforts</p>	Text 348-362; 375-379 Supp. Module 5
6	<p>The Judicial Process</p> <p>A. Due Process</p> <p>B. Civil Court Proceedings Judicial Review</p> <p>C. Juvenile Court Proceedings</p> <p>D. Criminal Court Proceedings</p>	Text 382-396 Supp. Module 6
7	<p>Adjudicating Dependency</p> <p>A. Legal Basis for Dependency</p> <p>B. Remediate Parenting Defects (Case Planning)</p> <p>C. Judicial Review</p> <p>D. Services</p> <p>E. Disposition Alternatives / Fostercare</p>	Supp. Module 7 472 -490 432 -439
8	<p>Evidentiary Consideration in Child Abuse Cases</p> <p>A. Hearsay</p> <p>B. Lay witnesses</p> <p>C. Expert Witnesses</p> <p>D. Caseworker as Witness</p> <p>E. The Child as Witness</p>	Text 541 -567; 579-587 Supp.Module 8
9	<p>Termination of Parental Rights (TPR)</p> <p>A. Grounds for TPR</p> <p>B. Alternatives to TPR</p> <p>C. Independent Living</p>	Text 396 -412 Supp. Module 9
10	<p>Permanency & Adoption</p> <p>A. Types of placements</p> <p>B. Adoption</p> <p>C. Open adoption</p>	Text 441 -471 490 -518 619 -634 686 -693 Supp. Module 10

GRADING CRITERIA

Course Assignments and their percentage of the final grade

Your grade for this course will be based on the following four components (more fully explained below) and their respective proportionate share in calculating your final grade: individual weekly assignments (40%), individual quiz results (20%), midterm exam (15%) and final exam (25%).

WEEKLY ASSIGNMENTS

This course is taught in a ten-week session. The materials are presented in weekly "modules" over the ten weeks. It is very important that all students participate throughout the ten week session and timely complete all assignments. This means that each week every student must complete the following items:

- A. Complete the Reading Assignment - which includes the Abrams/Ramsey "Text" and the "Supplemental" readings found on the Supplemental Materials CD.
- B. Review the PowerPoint presentation for each module.
- C. Participate in the weekly threaded discussion problem by posting your assignment to the weekly discussion board (groups may be assigned for some of the threaded discussion posting assignments).
- D. (Optional) Participate in the on-line chat discussion sessions when they are held.

40% of your grade for this course is based upon your timely completion of all the assignments for each week. The grades for all weeks will be averaged together to assign a final grade for this aspect of the course. You will receive your grade for this component of the course in week 3 and week 7 .

2. QUIZ RESULTS

There will be four bi-weekly quizzes in this course which are scheduled as follows:

Quiz #1 -opens-	(covers material from modules 1 - 2);
Quiz #2 -opens-	(covers material from modules 3 - 4);
Quiz #3 -opens-	(covers material from modules 6 - 7);
Quiz #4 -opens-	(covers material from modules 8 - 9).

Each quiz is respectively worth 5% of your final grade; a combined total of 20% of your final grade is based solely on the results of these four quizzes. The quizzes will consist of multiple choice questions. You will have 40 minutes to complete the quiz from the time you open the quiz. You cannot exit the quiz and return later. The quizzes will open on

Fridays at 12:00 p.m. and close Sunday at 11:00 p.m. during those modules in which a quiz is scheduled. You should receive your quiz results immediately after completing each respective quiz.

3. MIDTERM EXAM

There will be a midterm exam given in this course which will take place during the fifth week of the course. The midterm exam is designed for you to easily complete it in a two-hour period (this takes into consideration variable typing skills). It is important that you have a two-hour period you can devote to the midterm exam, because once you open the midterm exam you will have only a single continuous two-hour period within which to complete the midterm exam. You cannot exit the exam and return later. The midterm exam will be 15% of your grade for this course. You should receive the results of your midterm exam within two weeks of completing the exam.

4. FINAL EXAM

There will be a final exam given in this course which will take place during the tenth week of the course. The final exam is designed for you to easily complete it within a three-hour period (this takes into consideration variable typing skills). It is important that you have a three-hour period you can devote to the final exam, because once you open the final exam you will have only a single continuous three-hour period within which to complete the final exam. You cannot exit the exam and return later. The final exam will be 25% of your grade for this course.

GRADING CRITERIA

Grade	Point Value
A	= 90-100
B	= 80-89
C	= 70-79
F	= Below 70

Students are graded on achievement, rather than solely on effort. It is the responsibility of each student to prepare for each class and to communicate at a level that leaves the instructor with a clear impression that the student understands the material or have exhausted efforts within the time allotted to maximize their understanding of the material covered.

Examples of quality participation include but are not limited to: 1) using points as raised by the authors in the textbooks to highlight or illustrate a particular question, argument, or point; 2) drawing on one's work or life experiences to make a point within the context of the topic, text, or assignment; or 3) asking relevant questions in a way that reveals what is understood so as to isolate what requires further clarification.

ADMINISTRATIVE POLICIES

Individual Student Responsibilities: Each student is accountable for both individual assignments (readings, papers, and final exam) and a significant contribution to group activities (discussion leader and bulletin board postings). A student demonstrates accountability by completing all individual assignments in a timely manner and by attending and participating in all group activities. It is expected that students will perform professionally in preparing work for this class and maintain high standards of honesty and ethical behavior, per Nova Southeastern University and the Criminal Justice Institute policies and guidelines.

Faculty Responsibilities: The faculty is responsible for establishing a learning environment that encourages mutual trust and support to include theoretical content, synthesizing information, and encouraging students to apply the content of their learning to their workplace settings. The faculty guides, monitors, and evaluates the student's progress and is available for consultation and feedback.

Academic Honesty: All individual assignments must represent the student's original and independent work; therefore, academic dishonesty of any kind will not be tolerated. This includes claiming another student's work as one's own, using published work without proper citations, and collaborating on exams or term papers. Academic dishonesty will be subject to the full extent of Nova Southeastern University disciplinary procedures.

Late Assignments: Late assignments (missed deadlines for the final exam, term paper, discussion leader, and bulletin board postings) will disrupt the learning process of others and it prevents the creation of effective dialogue between the student and the instructor regarding the development of student knowledge and skills throughout the course. Therefore:

- All missed final exam and term paper assignments must be made up, and emailed to the instructor, via WebCT email, by midnight on the day following the class when the assignment was originally due. Final exam and term paper points will be reduced by 20% for each day they are late.
- All missed weekly bulletin board assignments must be posted by midnight on the day following the class when the assignment was originally due. All missed assignments will be reduced by one (1) point for each day of missed general participation (up to a maximum of 40 points), and five (5) points for each day of missed Discussion Leader facilitation (up to a maximum of 10 points).

Attendance and Participation: Regular attendance and participation in discussion leader and bulletin board activities are required for two reasons: 1) attendance and participation assist in identifying and absorbing nuances inherent in the readings and lectures, which will be ultimately assessed in the final exam, term paper, discussion leader, and bulletin board assignments; and 2) the quality of the class is contingent upon a student's ability to build on previous deliberations and analyses.

Incomplete Grades: It should be noted that students do not have a right to an incomplete grade; thus, incomplete grades will be granted only in cases of extreme hardship or emergency situations.